

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

**IN RE: DICAMBA HERBICIDES
LITIGATION**

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MDL No. 2820

**This document relates to:
Coker**

Case No. 1:18cv126

MEMORANDUM and ORDER

This matter is before the Court on defendants BASF and Monsanto's combined motion to dismiss the complaint of plaintiff Bart Coker with prejudice for failure to produce a Crop Damage Plaintiff Fact Sheet ("PFS"), which was due in October 2018. Plaintiff Coker's attorneys have moved to withdraw as Coker's counsel of record. They state that they have attempted to notify Coker of the deadline in which to submit the PFS by phone, emails, and letters on numerous occasions. Coker has not responded. Under those circumstances, counsel states they are unable to represent Coker. For those reasons, the Court will grant W. Bryan Smith's motion to withdraw (1:18md2820 #299, 1:18cv126 #30) and the defendants' motion to dismiss (1:18cv126 #28).

Accordingly,

IT IS HEREBY ORDERED that W. Bryan Smith, Rene Rocha, III, and Morgan and Morgan Complex Litigation Group are WITHDRAWN as counsel of record for plaintiff Bart Coker, whose contact information is 801 Polly Walker Rd., Ripley, TN 38063, (731) 413-7309, and buckcoker110112@gmail.com.

IT IS FURTHER ORDERED that defendant's motion to dismiss (#28) is granted.

Dated this 1st day of March, 2019.

A handwritten signature in black ink, reading "Stephen N. Limbaugh, Jr.", written over a horizontal line.

STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE